1935

Department of Bd. of Rev.

OFFICE Sep. Rev.

STATION Madras.

Seen by

D No. 499
Mis. (Stamps)

Dated 29-8-35

Rec'd on 30/8/35

Exd 30/8

S/

31 AUG 1935

30/8

Pages in the file

(SUBJECT.)

Stamp Duty — Pauper Suit — S.C.70/33
Sub Court, Mangalore — Irrecoverable —
Writing off — Sanctioned

Ref. C. 1316-35-B-4.

South Kanara Collector's Office,
Mangalore, dated 17th August 1935.

From

E. M. Gawne, Esq, I.C.S.,
Collector of South Kanara.

2385 To

The Secretary to the Board,
Separate Revenue, M a d r a s.

S i r,

Stamps--stamp duty--Court fees awarded to Government--pauper suit--O.S.70/33 of the Subordinate Court--sanction to write off--requested.

I request that the Board may be pleased to accord sanction to write off as irrecoverable the amount of Rs.1659-15-0, awarded as Court fees to Government in the decree of the Subordinate Court of South Kanara in O. S. No. 70/33 on its file.

p.4 (Z)

2. The records of enquiry are enclosed, as required by B.P. R. 267 Mis. dated 5th November 1931. It will be seen from them that the plaintiff is a resident of Goa, having no property of her own there and living with her father. She has a right to some landed property near Bajpe in the Mangalore Taluk of this district valued at Rs.6,000 but this property is heavily encumbered-it is said, to the extent of Rs.10,000-and a sale is not likely to be of any use.

pp.43-44 (Y)
p 11 (Z)
pp.17-18 (Z)

3. The decree does not give any priority to the claim of Government, so far as the plaintiff's debts are concerned, in respect of her landed property. Plaintiff has lost the suit in which this decree was passed and both the Tahsildar of Mangalore Taluk and the local Government Pleader state that there is no chance of recovering the Court fee due to Government from the plaintiff in any way. I invite the Board's attention to the Tahsildar's report of the 24th July and the Government Pleader's letter of 5th August 1935 among the enclosed records.

pp 17-18 (Z)
p.27 (Z)

4. The amount has therefore to be treated as irrecoverable,

2

and I request that sanction may be granted, accordingly, under

446 B.P.R. 267 Mis. dated 5th November 1931 for treating it as irrecoverable and for writing it off the accounts.

Your obedient servant,

Collector.

C.R.2385 Mis./35-E.

S/pp.

[Stamp Duty — Pauper suit — O.S.70/33 — Sub Court, Mangalore — Irrecoverable — Writing off — Recommended.]

From the Collr. of South Kanara,

pp 1-2 c.f. Ref. C - 1316 - 35 - B4 dt 17-8-35.

The Collr's letter on pp. 1-2 cf. shows that the court-fees of Rs. 1659-15-0 awarded to the Govt. may have to be treated as irrecoverable & written off.

For orders.

Ops 21.8.35 Sd/- 21.8.35

May be written off as there is no chance of recovering the Govt. dues

Affirmed

Rm 22835 Sd/- 22.8.35

S Sir,

Draft Resy. below.

Ops 26.8.35 Sd/- 26.8.35

Rm 28835

5

C.F.16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined..		
When signed ..		
When despatched.		

SUBJECT:—
Stamp duty — Pauper suit — O.S. 70/33 — Subcourt, Mangalore — Irrecoverable — Writing off — Sanctioned.

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO*:—

No. _____ From the Colle. of South Kanara, No. Ref C. 1316-35-B4 & 17-8-35, dated _____ 19____.

" _____ " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

~~Order~~ ~~Mg.~~ Resolution ~~Rout.~~ No. C.R. 2385 Mis/35, dated _____ 19____.

The Bd. accords sanction to write off as the accounts as irrecoverable the sum of Rs. 1659-15-0 (Rupees One Thousand, Six hundred & fifty nine, annas fifteen only) being the court-fees awarded to the Govt. in the above mentioned pauper suit.

Rupees —

Secy
26.8.35

To The Colle. of South Kanara
(with his Mise file 1316-35-B4
Pp. 1-32 cf. retd. by R.P.)

Copy to the Secy. to the Govt.,
Law (Genl.) Dept.
(with a copy of the Colle's letter)

DESPATCH
31 AUG 1935

List of enclosure to Board's Proceedings D.No.499/ dated 29th August 35.

Kanara

To th ~~Arcot~~ Collector's office file 1316-35-B.4

1 - 32 pages

Received

Madhavarao
Forestdar. 5.9.

To, The Board of Revenue, Separate Revenue. 5.9.35
Madras